



U.S. Department of Justice
Immigration and Naturalization Service

A77 627 738

P.O. Box 209
White Deer, PA 17887

5/5/00

PRI-HAR, Menachem
BOP# 34446-054
C/O LSCI ALLENWOOD
White Deer, PA 17887

Dear Sir,

The Immigration and Naturalization Service has determined that you should be removed/deported from the United States. However, your deportation/removal can not be effected until you complete the remainder of your federal prison sentence.

Upon completion of your federal criminal sentence, you will be transferred to the custody of the Immigration and Naturalization Service. You will then be removed/deported from the United States as expeditiously as possible.

If you request withholding or deferral of removal, your case will be referred to the appropriate officer for a final disposition on your request prior to effecting your removal/deportation from the United States.

Sincerely,

A handwritten signature in cursive script, reading "R Culley", is written over the typed name.

Robert M. Culley
IHP Director

U. S. Department of Justice

Immigration and Naturalization Service

Notice of Intent to Issue a Final Administrative Removal Order**In removal proceedings under 238(b) of the Immigration and Nationality Act**BOP#: 34446-054File No: A77 627 738PRD: 6/9/05To: PRI-HAR, MenachemAddress: LSCI ALLENWOOD P.O. BOX 1500 WHITE DEER PA 17887Telephone: N/A

Pursuant to section 238(b) of the Immigration and Nationality Act (Act), 8 U.S.C. 1228(b), the Immigration and Naturalization Service (Service) has determined that you are amenable to expedited administrative removal proceedings. The determination is based on the following allegations:

1. You are not a citizen or national of the United States.
2. You are a native of Israel and a citizen of Israel.
3. You entered the United States (at)(near) New York, NY. on or about March 27, 1993.
4. At that time, you entered as a nonimmigrant.
5. You are not lawfully admitted for permanent residence.
6. You were, on July 20, 1994, convicted in the United States District Court, at the Southern District of New York, for the offense of Conspiracy to defraud the U.S. Department of Agriculture, Defrauding the U.S. Department of Agriculture, Conspiracy to commit bank fraud, Bank fraud, Conspiracy to commit wire fraud, Wire fraud & False statements on loan or credit application, in violation of Title 18, USC, section 371, 714m(a), 1344, 2, 1343 & 1014 for which the term of imprisonment imposed was 168 months.

Charge:

You are deportable under section 237(a)(2)(A)(iii) of the Act, 8 U.S.C. 1227(a)(2)(A)(iii), as amended, because you have been convicted of an aggravated felony as defined in section 101(a)(43)(M&U) of the Act, 8 U.S.C. 1101(a)(43).

Based upon section 238(b) of the Act, the Service is serving upon you this NOTICE OF INTENT TO ISSUE A FINAL ADMINISTRATIVE REMOVAL ORDER ("Notice of Intent") without a hearing before an Immigration Judge.

Your Rights and Responsibilities

You may be represented (at no expense to the United States government) by counsel, authorized to practice in this proceeding. If you wish legal advice and cannot afford it, you may contact legal counsel from the list of available free legal services provided to you.

You must respond to the above charges in writing to the Service address provided on the other side of this form within 10 calendar days of service of this notice (or 13 calendar days if service is by mail). **The Service must RECEIVE your response within that time period.**

In your response you may: request, for good cause, an extension of time; rebut the charges stated above (with supporting evidence); request an opportunity to review the government's evidence; admit deportability; designate the country to which you choose to be removed in the event that a final order of removal is issued (which designation the Service will honor only to the extent permitted under section 241 of the Act, 8 U.S.C. 1231); and/or, if you fear persecution in any specific country or countries on account of race, religion, nationality, membership in a particular social group, or political opinion or, if you fear torture in any specific country or countries, you may request withholding of removal under section 241(b)(3) of the Act or withholding/deferral of removal under the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (Convention Against Torture). A grant of withholding or deferral of removal would prohibit your return to a country or countries where you would be persecuted or tortured, but would not prevent your removal to a safe country.

You may seek judicial review of any final administrative order by filing a petition for review within 30 calendar days after the date such final administrative order is issued, or you may waive such appeal by stating, in writing, your desire not to appeal.

Robert M. Culler / IHP Director
(Signature and Title of Issuing Officer)

Allenwood, PA
(City and State of Issuance)

5/8/00 8AM
(Date and Time)

Certificate of Service

I served this Notice of Intent. I have determined that the person served with this document is the individual named on the other side of this form.

D. Bunks, Agent
(Signature and title of issuing officer)

MAY 11 2000 PERSONAL SERVICE
(Date and manner of Service)

[X] I explained and/or served this Notice of Intent to the alien in the English language.
Name of interpreter _____
Location/Employer _____

**I ACKNOWLEDGE THAT I HAVE RECEIVED THIS NOTICE OF INTENT TO ISSUE A FINAL ADMINISTRATIVE
REMOVAL ORDER**

PRI-HAR, Menachem A77 627 738
(Respondent's Signature)

MAY 11 2000 8:42am
(Date and Time)

☒ Alien refused to acknowledge receipt of this document.
D. Bunks, Agent
(Signature and Title of Officer)

MAY 11 2000 8:42am
(Date and Time)

I wish to Contest and/or to Request Withholding of Removal

- [] I contest my deportability because: (Attach any supporting documentation):
 [] I am a citizen or national of the United States.
 [] I am a lawful permanent resident of the United States.
 [] I was not convicted for the criminal offense described in allegation number 6 above.
 [] I am attaching documents in support of my rebuttal and request for further review.
- [] I request withholding of deferral of removal to _____ (Name(s) of Country or Countries):
 [] Under section 241(b)(3) of the Act, because I fear the persecution on account of my race, religion, nationality, membership in a particular social group, or political opinion in that country or those countries.
- [] Under the Convention Against Torture, because I fear torture in that country or those countries.

(Signature of Respondent)

PRI-HAR, Menachem
(Printed Name of Respondent)

(Date and Time)

I Do Not Wish to Contest or Request Withholding of Removal

- [] I admit the allegations and charge in this Notice of Intent. I admit that I am deportable acknowledge that I am not eligible for any form of relief from removal. I waive my right to rebut and contest the above charges and my right to file a petition for review of the Final Removal Order. I do not request withholding or deferral of removal. I wish to be removed to Israel.
- [] I also waive the 14 day period of execution of the Final Removal Order.

(Signature of Respondent)

PRI-HAR, Menachem
(Printed Name of Respondent)

(Date and Time)

(Signature of Witness)

(Printed Name of Witness)

(Date and Time)

RETURN THIS FORM TO:
United States Department of Justice
Immigration and Naturalization Service
 LSCI Allenwood
 P. O. Box 209
 White Deer, PA 17887

ATTENTION: IHP Director

The Service office at the above address must **RECEIVE** your response within 10 calendar days from the date of service of this notice (or 13 calendar days if service is by mail).

U. S. Department of Justice
Immigration and Naturalization Service

Final Administrative Removal Order

**FINAL ADMINISTRATIVE REMOVAL ORDER
UNDER SECTION 238(b) OF THE
IMMIGRATION AND NATIONALITY ACT**

BOP NO: 34446-054
FILE NO: A77 627 738
DATE: 8-18-00

To: PRI-HAR, Menachem
Address: LSCI ALLENWOOD, Allenwood, PA 17887
(Number, street, city, state, and ZIP code)
Telephone: N/A
(area code and phone number)

ORDER

Based upon the allegations set forth in the Notice of Intent to Issue a Final Administrative Removal Order and evidence contained in the administrative record, I, the undersigned Deciding Service Officer of the Immigration and Naturalization Service, make the following findings of fact and conclusions of law. I find that you are not a citizen or national of the United States and that you were not lawfully admitted for permanent residence. I further find that you have a final conviction of an aggravated felony as defined in section 101(a)(43)(M&U) of the Act, 8 U.S.C. 1101(a)(43) and are ineligible for any relief from removal that the Attorney General may grant in an exercise of discretion. I further find that the administrative record established by clear, convincing, and unequivocal evidence that you are deportable as an alien convicted of an aggravated felony pursuant to section 237(a)(2)(A)(iii) of the Act, 8 U.S.C. 1227(a)(2)(A)(iii). By the power and authority vested in the Attorney General and in me as the Attorney General's delegate under the laws of the United States, I find you deportable as charged, and order that you be removed from the United States to

Israel or to any alternate country prescribed by section 241 of the Act.

James W. Zerk

(Signature of Authorized INS Official)

Acting District Director
(Title of Official)

Philadelphia, PA
(Date and office location)

8-10-00

Petition for review: ☐ Waived by respondent
☐ Reserved by respondent

Certificate of Service

I served this FINAL ADMINISTRATIVE REMOVAL ORDER upon the above-named individual.

8/16/00

ALLENWOOD, PA.

MAIL SERVICE

(Date, time, place and manner of service)

P.O. Box 1005
White Deer, PA 17887

[Signature]
(Signature and title of officer)

Attachment to Final Administrative Removal Order (I-851A)

RE: Menachem PRI-HAR, A77 627 738

I have considered all the information related to the Administrative Removal proceedings in your case. You have submitted a written response to the Notice of Intent to Issue a Final Administrative Removal Order on July 29, 1999. You were granted a final 30 days extension in order to submit your response. This extension expired on June 24, 2000. Your request for another extension to submit a response is denied.

I find that your alienage, conviction of an aggravated felony, and deportability are supported by clear convincing and unequivocal evidence. I also find that you are not a lawful permanent resident of the United States.

You have requested that you be allowed to pursue a waiver of inadmissibility under section 212(c) of the INA. However, you are statutorily ineligible for such relief. Section 212(c) of the INA was repealed by section 304(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. 104-207, 110 Stat. 3009 (effective April 1, 1997)(hereinafter "IIRIRA"). This amendment to the INA applies to individuals placed in proceedings after April 1, 1997, the effective date of IIRIRA. Inasmuch as the instant proceedings were commenced against you on May 11, 2000, you are precluded from applying for relief under former section 212(c) of the INA as a matter of law.

*no mention of
212 (b)
relief or
that it
was
requested*

Therefore, the decision on the Administrative Removal Order is final.